

**UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT**

Miscellaneous Docket No. 962

IN RE MORGAN STANLEY, MORGAN STANLEY & CO. INCORPORATED,  
J.P. MORGAN CHASE & CO., J.P. MORGAN SECURITIES, INC.,  
J.P. MORGAN CLEARING CORP., CREDIT SUISSE HOLDINGS (USA), INC., CREDIT  
SUISSE SECURITIES (USA) LLC, THE GOLDMAN SACHS GROUP, INC.,  
GOLDMAN SACHS & CO., GOLDMAN SACHS EXECUTION & CLEARING LP,  
SWS GROUP, INC., and SOUTHWEST SECURITIES, INC.,

Petitioners.

On Petition for Writ of Mandamus to the United States District Court for the  
Eastern District of Texas in case no. 09-CV-0326, Judge Leonard Davis.

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Miscellaneous Docket No. 964

IN RE BATS TRADING, INC. (also known as BATS Exchange, Inc.),  
THE NASDAQ OMX GROUP, INC., NASDAQ OMX PHLX, INC.,  
INTERNATIONAL SECURITIES EXCHANGE, LLC, CHICAGO BOARD  
OPTIONS EXCHANGE, INCORPORATED, NYSE EURONEXT,  
NYSE ARCA, INC., NYSE AMEX, LLC, SECURITIES INDUSTRY  
AUTOMATION CORPORATION, OPTIONS PRICE REPORTING AUTHORITY,  
BOSTON OPTIONS EXCHANGE GROUP, LLC, CME GROUP, INC.,  
BOARD OF TRADE OF THE CITY OF CHICAGO, INC., and  
NEW YORK MERCANTILE EXCHANGE, INC.,

Petitioners.

On Petition for Writ of Mandamus to the United States District Court for the  
Eastern District of Texas in case no. 09-CV-0327, Judge Leonard Davis.

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Miscellaneous Docket No. 967

IN RE THOMSON REUTERS CORPORATION, FACTSET  
RESEARCH SYSTEMS INC., BLOOMBERG L.P. and  
INTERACTIVE DATA CORPORATION,

Petitioners.

On Petition for Writ of Mandamus to the United States District Court for the  
Eastern District of Texas in case no. 6:09-CV-00333, Judge Leonard Davis.

**ORDER**

NOTE: This order is nonprecedential.

## UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

### ORDER

A combined petition for panel rehearing and for rehearing en banc having been filed by the Respondent, and a response thereto having been invited by the court and filed by the Petitioners, and the petition for rehearing and response, having been referred to the panel that heard the appeal, and thereafter the petition for rehearing en banc and response having been referred to the circuit judges who are in regular active service,

UPON CONSIDERATION THEREOF, it is

ORDERED that the petition for panel rehearing be, and the same hereby is, DENIED and it is further

ORDERED that the petition for rehearing en banc be, and the same hereby is, DENIED. Circuit Judge Gajarsa and Circuit Judge Dyk did not participate in the vote.

FOR THE COURT,



Jan Horbaly  
Clerk

Dated: 08/11/2011

**FILED**  
U.S. COURT OF APPEALS FOR  
THE FEDERAL CIRCUIT

AUG 11 2011

cc: All Petitioners Counsel  
Robert A. Cote, Jr.

JAN HORBALY  
CLERK

IN RE MORGAN STANLEY, 2011-M962, -M964, -M967  
(RIT - 09-CV-0326)  
(RIT - 09-CV-0327)  
(RIT - 6:09-CV-00333)